DEATH — WRONGFUL ACT — RIGHT OF ACTION. — B. & O. R. R. Co., v. CHAMBERS, 76 N. E. 91, (OHIO). *Held,* that no action can be maintained in the courts of Ohio upon a cause of action for wrongful death occurring in another state, except where the person wrongfully killed was a citizen of the State of Ohio.

This case lays down a comparatively new rule in this country. In general, whenever, by common law or statute, a right of action has become fixed and a legal liability incurred, that liability, if the action be transitory, may be enforced and the right of action pursued in the courts of any state which can obtain jurisdiction of the defendant, provided it is not against the public policy or the laws of the state where it is sought to be enforced, *Herrick v. Minneapolis & St. Louis R. R. Co.,* 31 Minn. 11; *Atchison, Topeka & Santa Fe R. R. Co. v. Keller,* 76 S. W. 801; *St. Louis & C. R. R. v. Brown,* 62 Ark. 254. Such action is on the same footing as to its transitory nature as an action of tort at common law, where statutes are substantially similar, and the exercise of comity between states is not prejudicial to the state's own citizens, *Leonard v. Columbia Steam Navigation Co.,* 84 N. Y. 48; *Chafee v. Fourth National Bank of New York,* 71 Me. 514. The courts of Maryland hold, however, that no action can be maintained upon a statute of this kind if the deceased person received the injury at a place not within the limits of the state. *Allen v. Pitts. & C. R. R. Co.,* 45 Md. 41. The courts of New York will not take jurisdiction of an action between non-residents for a tort committed in another state, unless special circumstances exist. *Collard v. Beach, 81 N. Y.* Supp. 619. The discrimination between residents and non-residents is probably based upon reason of public policy and the courts of New York should not be vexed with litigation between non-resident parties over causes of action which arose outside of its territorial limits. *Robinson v. Oceanic Steam Navigation Co.,* 112 N. Y. 315. Affirmed in *Hoes v. N. Y., N. H. & H. R. R. Co.,* 173 N. Y. 435.

DEDICATION — LIMITED TO PUBLIC USE. — YOUNG V. LANDIS TP. ET AL., 62 ATL. REP. 1133. (N. J.). *Held,* that land may be dedicated to a restricted public use, and, if accepted, must be taken for the limited purpose only. Therefore the township had no authority to widen the driveway as proposed by an ordinance.

Dedication of land to the public may be so made as to indicate the specific public use which is intended, as for a footpath, etc., and acceptance of such a dedication would be limited to the use designed, *Mercer v. Woodgate, L. R.* 5 Q. B. 26; *Trustees of M. E. Church v. City of Hoboken,* 33 N. J. Law, 13; *City of Buffalo v. Delaware L. & W. R. R. Co.,* 39 N. Y. Supp. 4. The chief reason for these decisions is that the dedication is considered as being in the nature of a gratuity, therefore any limitation, condition, etc., attached to or imposed upon the grant will be upheld. Nothing passes to the public but the easement, the fee remains in the original owner. *Cincinnati v. White,* 6 Pet. 431. In the absence of expressed and formal dedication and acceptance, it may be effectuated by the acts, declarations and acquiescing conduct of the parties through such a period of time as will give rise to the conclusive interference of intent to dedicate and to accept. *Cook v. Harris,* 61 N. Y. 448. A use by the public at least for twenty years